

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Western District of New York

United States of America

Plaintiff(s)

V.

James E. Ellsworth

Defendant(s)

Civil Action No. 12cv782

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* James E. Ellsworth
666 Evergreen Drive
Tonawanda, NY 14150

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Gerald N. Murphy, Esq.
Forsyth, Howe, O'Dwyer, Kalb & Murphy PC
One Chase Square, Suite 1900
Rochester, NY 14604

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



CLERK OF COURT

Date: 8/17/2012

Michael J. Roemer

Signature of Clerk or Deputy Clerk